



COPY OF PAPERS  
ORIGINALLY FILED

#3 Page 1 of 1

section

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/966,412         | 09/28/2001          | Richard Ford          | 42390P11848            |

CONFIRMATION NO. 4354

FORMALITIES LETTER



\*OC00000006983343\*

Blakely, Sokoloff, Taylor & Zafman  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1030

Date Mailed: 10/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

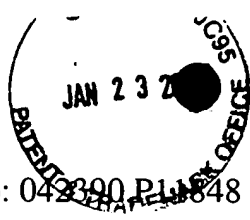
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#3

Our Docket No: 042390.P11848

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                             |   |                            |
|-----------------------------|---|----------------------------|
| In re Application of:       | ) |                            |
|                             | ) |                            |
| Richard L. Ford             | ) | Examiner: Not yet assigned |
|                             | ) |                            |
| Application No.: 09/966,412 | ) | Art Unit: Not yet assigned |
|                             | ) |                            |
| Filed: September 28, 2001   | ) |                            |
|                             | ) |                            |
| For: Cross Profile Guided   | ) |                            |
| Optimization of Program     | ) |                            |
| <u>Execution</u>            | ) |                            |

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted)  
mailed October 29, 2001, please find enclosed:

- (1) duly executed Declaration and Power of Attorney with respect to the  
above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. §  
1.16(e); and

|   |                                 |
|---|---------------------------------|
| <b>FIRST CLASS CERTIFICATE OF MAILING</b>   |                                 |
| I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. |                                 |
| Date of Deposit: <u>December 4, 2001</u>  |                                 |
| Name of Person Mailing Correspondence: <u>Lori E. True</u>  |                                 |
| <u>Lori E. True</u><br>Signature  | <u>December 4, 2001</u><br>Date |

Docket No.: 042390.P11848  
Application No.: 09/966,412



(3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 12/4/01

Mark C. Van Ness  
Reg. No.: 39,865

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025-1026  
(303) 740-1980

O I P E JC95  
JAN 23 2002  
PATENT & TRADEMARK OFFICE

#3

PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/966,412         |
| Filing Date          | September 28, 2001 |
| First Named Inventor | Richard L. Ford    |
| Examiner Name        | Not yet assigned   |
| Group Art Unit       | Not yet assigned   |
| Attorney Docket No.  | 042390P11848       |

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 02-2666
- Deposit Account Name:
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     |          |
| 106 330                    | 206 165                    | Design filing fee      |          |
| 107 510                    | 207 255                    | Plant filing fee       |          |
| 108 740                    | 208 370                    | Reissue filing fee     |          |
| 114 160                    | 214 80                     | Provisional filing fee |          |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims:  - 20\*\* =  X  =

Independent Claims:  - 3\*\* =  X  =

Multiple Dependent:  =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |          |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |          |
| 109 84                     | 209 42                     | ** Reissue independent claims over original patent         |          |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  | \$130.00 |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 400                    | 216 200                    | Extension for reply within second month                                    |          |
| 117 920                    | 217 460                    | Extension for reply within third month                                     |          |
| 118 1,440                  | 218 720                    | Extension for reply within fourth month                                    |          |
| 128 1,960                  | 228 980                    | Extension for reply within fifth month                                     |          |
| 119 320                    | 219 160                    | Notice of Appeal   |          |
| 120 320                    | 220 160                    | Filing a brief in support of an appeal                                     |          |
| 121 280                    | 221 140                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,280                  | 241 640                    | Petition to revive - unintentional   |          |
| 142 1,280                  | 242 640                    | Utility issue fee (or reissue)   |          |
| 143 460                    | 243 230                    | Design issue fee   |          |
| 144 620                    | 244 310                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 740                    | 246 370                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 740                    | 249 370                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740                    | 279 370                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify):

SUBTOTAL (3) (\$130.00)

\*Reduced by Basic Filing Fee Paid

|                   |                    |                                   |                |
|-------------------|--------------------|-----------------------------------|----------------|
| SUBMITTED BY      |                    | Complete (if applicable)          |                |
| Name (Print/Type) | Mark C. Van Ness   | Registration No. (Attorney/Agent) | 39,865         |
| Signature         | <i>[Signature]</i> | Telephone                         | (303) 740-1980 |
|                   |                    | Date                              | 12/4/01        |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.